

1 **UNITED STATES DISTRICT COURT**

2 **DISTRICT OF NEVADA**

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 DENNIS SPEEDY DILLON,

7 Defendant.

Case No. 2:23-mj-00389-EJY

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER**

9 **FINDINGS OF FACT**

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
11 Court finds that:

12 1. Counsel for the defendant will need additional time to conduct investigation and
13 review discovery to determine whether there are any pretrial issues that must be litigated and
14 whether the case will ultimately go to trial or resolve through negotiations.

15 2. The defendant is not in custody and does not oppose the continuance.

16 3. The parties agree to the continuance.

17 4. The additional time requested herein is not sought for purposes of delay, but
18 merely to allow counsel for the defendant sufficient time to complete necessary investigation
19 and review of the discovery materials provided.

20 5. Additionally, denial of this request for continuance could result in a miscarriage
21 of justice. The additional time requested by this stipulation is excludable in computing the time
22 within which the trial herein must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),
23 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and
24 3161(h)(B)(iv).

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendants in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to prepare for trial effectively and thoroughly, considering the exercise of due diligence.

The continuance sought herein is excusable under the Speedy Trial Act, Title 18, United States Code, Section § 3161 (h)(7)(A), when the considering the factors under Title 18, United States Code, § 3161(h)(7)(B)(i), and Title 18, United States Code § 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the trial scheduled for September 20, 2023 at 9:30 a.m., be vacated and continued to November 29, 2023 at 9:30 a.m. in Courtroom 3D.

DATED: September 18, 2023.


UNITED STATES MAGISTRATE JUDGE